



To the Honorable Council
City of Norfolk, Virginia

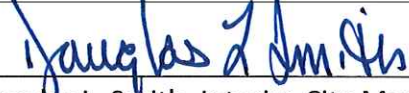
February 28, 2017

From: George M. Homewood, FAICP, CFM, Planning Director

Subject: Text amendment to sections 11-20, "Pedestrian Commercial Overlay District – Colley Avenue (PCO-COLLEY)," and 11-21, "Pedestrian Commercial Overlay District – 21st Street (PCO-21st)," of the *Zoning Ordinance* to allow electronic interactive messaging signs in the 21st Street and Colley Avenue PCOs

Reviewed: 
Wynter C. Benda, Deputy City Manager

Ward/Superward: 2/6

Approved: 
Douglas L. Smith, Interim City Manager

Item Number: **PH-2**

I. **Staff Recommendation:** Approval.

II. **Commission Action:**

- By a vote of **6 to 0**, the Planning Commission recommends **Approval**.

III. **Request:** Text amendment to sections 11-20, "Pedestrian Commercial Overlay District – Colley Avenue (PCO-COLLEY)," and 11-21, "Pedestrian Commercial Overlay District – 21st Street (PCO-21st)," of the *Zoning Ordinance* to allow electronic interactive messaging signs in the 21st Street and Colley Avenue PCOs.

IV. **Applicant:** City Planning Commission

V. **Description:**

- This request is to modify the existing Colley Avenue and 21st Street Pedestrian Commercial Overlay Districts to allow the use of interactive digital window signage.
 - Size will be limited to nine (9) square feet.
- All other temporary signage will be prohibited if interactive digital window signage is to be used.
- Digital window signage will not be legible from the street and will not distract vehicular traffic.
- Transparency requirements of the PCO's must be maintained to utilize the interactive messaging sign.
- Once the regulations have been in place and tested, the use of interactive digital window signs may be appropriate in other pedestrian focused areas of the city.

VI. Historic Resources Impacts:

- Digital window signage would typically be installed inside the building thus limiting the potential exterior alteration of any historic structures.

VII. Public Schools Impacts

- N/A

Staff contact: Bobby Tajan at (757) 664-4756, robert.tajan@norfolk.gov

Attachments:

- Proponents and Opponents
- Staff Report to CPC dated January 26, 2017 with attachments
- Ordinance

Planning Commission Public Hearing: January 26, 2017

Executive Secretary: George M. Homewood, FAICP, CFM

Planner: Robert J. Tajan, AICP, CFM *RJT*

Staff Report	Item No. 2	
Applicant	City Planning Commission	
Request	Zoning Text Amendment	Amend sections 11-20, "Pedestrian Commercial Overlay District – Colley Avenue (PCO-COLLEY)," and 11-21, "Pedestrian Commercial Overlay District – 21 st Street (PCO-21 st)," of the <i>Zoning Ordinance</i> to allow digital window signs in the 21 st Street and Colley Avenue PCOs.

A. Summary of Request

This request is to modify the existing Colley Avenue and 21st Street Pedestrian Commercial Overlay Districts to allow the use of interactive digital window signage.

B. Plan Consistency

- The Enhancing Economic Vitality chapter of *plaNorfolk2030* includes an action calling for modifications to city processes, including zoning requirements, to support business investment.
- The proposed changes to the *Zoning Ordinance* are consistent with the recommendations of that action

C. Zoning Analysis

i. General

- The 21st Street and Colley Avenue PCOs were created to focus on pedestrian-oriented development.
- A number of standards were created that differ from other zoning classifications in order to preserve the commercial and pedestrian activity of these areas.
- Digital sign technology has been developed that helps to provide pedestrian connectivity to businesses and replace clutter of temporary signs in windows of businesses.
 - Digital signage is currently not permitted in the 21st Street and Colley Avenue PCOs.
- Digital window signage would be appropriate in these two PCOs as long as there is no distraction to vehicular traffic.
- Ultimately, the authority granted for digital window signs may be extended to other PCOs and Downtown; however, this opportunity provides for a "proof of concept" before extending further.

ii. Zoning Text Amendment

- The proposed amendment would add digital window signage to the 21st Street and Colley Avenue PCOs.
- One digital window sign, no more than nine (9) square feet in size, would be permitted for each storefront facing a street.
 - Transparency of the façade is required to be maintained and meet the requirements of the PCOs.
 - One additional digital window sign would be permitted if a storefront has more than 100 feet of street frontage.
- The sign may be interactive or must stay on the screen for at least 10 seconds and only change by fading.
- No sound will be permitted from the sign.
- No other temporary window signage would be permitted if digital window signage is used.
- No content of the sign can be legible from the adjacent streets.

D. Transportation Impacts

N/A

E. Historic Resource Impacts

Digital window signage would typically be installed inside the building thus limiting the potential exterior alteration of any historic structures.

F. Public School Impacts

N/A

G. Impact on the Environment

- With the proposed regulations, the digital window signage will be able to interact with pedestrians but not be a distraction to vehicular traffic.
- The ability for the digital window sign to interact with pedestrians and still provide transparency into the buildings meets the goals of the Pedestrian Commercial Overlay district.

H. Surrounding Area/Site Impacts

The proposed standards assure that the digital window signage will not negatively impact the surrounding area.

I. Payment of Taxes

N/A

J. Civic League

Notice was sent to the Ghent Neighborhood League and the Ghent Business Association on November 18.

K. Communication Outreach/Notification

Legal notification was placed in The Virginian-Pilot on November 23 and December 1.

L. Recommendation

Staff recommends approval of the proposed amendments to add digital window signage to the 21st Street and Colley Avenue PCOs.

Attachments

Location map

Zoning map

Application

Proposed text

Notice to the Ghent Business Association the Ghent Neighborhood League

Proponents and Opponents

Proponents


Robyn Thomas – Representative
913 W. 21st Street
Norfolk, VA 23517

Claus Ihlemann - Applicant
201 W. 21st, Suite 450
Norfolk, VA 23517

Tim Vohar
404 Talbot Hall
Norfolk, VA 23505

Opponents

None

Form and Correctness Approved: 

By 
Office of the City Attorney

Contents Approved: 

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO AMEND SECTIONS 11-20.4 AND 11-21.3 OF THE ZONING ORDINANCE OF THE CITY OF NORFOLK, 1992, SO AS TO ALLOW FOR DIGITAL WINDOW SIGNS IN THE PEDESTRIAN COMMERCIAL OVERLAY DISTRICT-21ST STREET AND THE PEDESTRIAN COMMERCIAL OVERLAY DISTRICT-COLLEY AVENUE.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That Section 11-20.4 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Development standards," is hereby amended and reordained so as to allow for window signs with entirely digital display areas, subject to certain restrictions and limitations, in the Pedestrian Commercial Overlay District-Colley Avenue (PCO-COLLEY). The text shall read as set forth in "Exhibit A," attached hereto.

Section 2:- That Section 11-21.3 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Development standards," is hereby amended and reordained so as to allow for window signs with entirely digital display areas, subject to certain restrictions and limitations, in the Pedestrian Commercial Overlay District-21st Street (PCO-21ST). The text shall read as set forth in "Exhibit B," attached hereto.

Section 3:- The Council hereby finds that this zoning amendment is required by public necessity, convenience, general welfare, or good zoning practice.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENTS:

Exhibit A (2 pages)

Exhibit B (2 pages)

EXHIBIT A

11-20.4 *Development standards.*

...

- (f) *Signs.* The sign standards for commercial uses in Chapter 16 shall apply, subject to the following limitations:
 - (1) No freestanding signs shall be permitted.
 - (2) Subject to a permit issued by the Director of Public Works and Director of Planning, a business may place one A-frame sign on the public sidewalk in front of the business. The size, placement and other characteristics of the A-frame sign shall be in accordance with the guidelines approved for A-frame signs, shall be removed from the public right-of-way during times the business is not open, and shall be subject to any other conditions that may be specified by the department of public works and department of planning.
 - (3) Inflatable signs are prohibited.
 - (4) Box wall signs, which are geometric in form, plastic coated, internally lighted, and have a changeable face for each subsequent tenant, are not permitted.
 - (5) Wall signs shall complement the building's architecture, materials, and colors. Any property or business shall be permitted one (1) square foot of sign surface area for each foot of building frontage facing the public street on which the principal access is located. For other building frontage, signs may not exceed one-half (½) square foot of sign surface area for each foot of building frontage facing a public street.
 - (6) Permitting wall signs may include, but are not limited to, the following features:
 - a. Individual articulated letters.
 - b. Painted signs (on the building or on other suitable surface).
 - c. Neon tubing.

- d. Lettering on an awning.
- (7) Window signs with a display area that is entirely digital shall be permitted only when they comply with all of the following limitations:
- a. The transparency required by the façade treatment requirement of section 11-20.4(b), above, must be maintained.
 - b. The maximum number of such digital windows signs is limited to:
 - (i) One (1) for each storefront having up to 100 linear feet facing a public street.
 - (ii) Two (2) for each storefront having 100 or more linear feet facing a public street.
 - c. The maximum sign face is nine (9) square feet.
 - d. The sign is situated not less than three (3) feet and not more than nine (9) feet above the ground immediately outside the window.
 - e. No portion of the display may automatically change more frequently than once every 10 seconds and changes must be made in a gradual or fading manner and shall not flash. If the sign is interactive, it may only be operated by a user standing in front of the display area.
 - f. No temporary window signage shall be displayed anywhere on the storefront when a digital window sign is installed.
 - g. No exterior sound shall be emitted from the sign.
 - h. The display shall be installed to prevent glare that may be a hazard to vehicular traffic.
 - i. None of the content of the digital widow sign shall be visible (as defined in chapter 16 of this ordinance) from the vehicular travel lanes of any public street.

EXHIBIT B

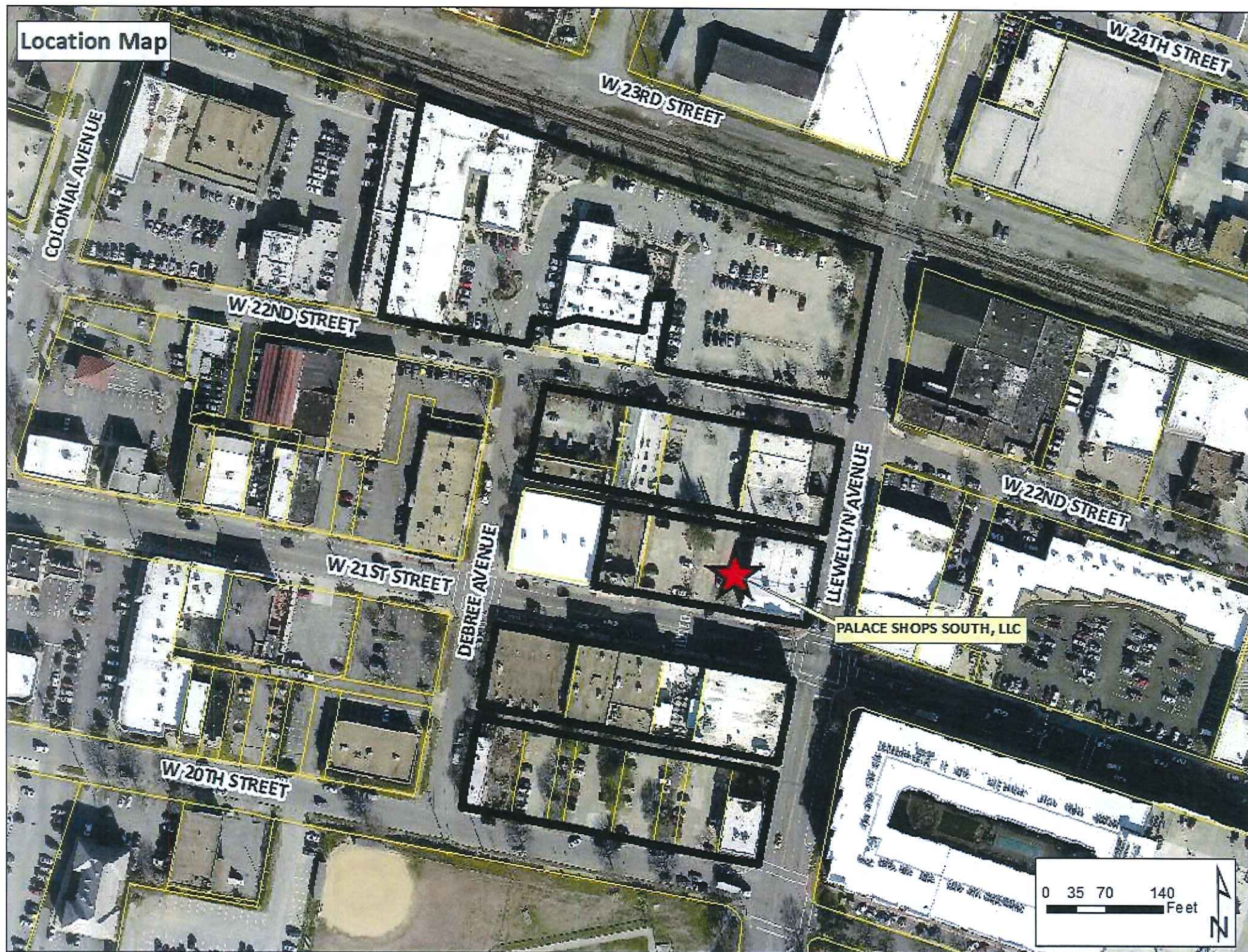
11-21.3 *Development standards.*

...

- (h) *Signs.* The sign standards for commercial uses in Chapter 16 shall apply, subject to the following limitations:
- (1) Businesses having one hundred (100) feet or more of lot frontage, may have only one monument type sign not to exceed thirty-two (32) square feet of sign surface area per sign face. The maximum height of the sign shall be six (6) feet.
 - (2) Businesses having one hundred (100) feet or more of lot frontage, which includes a parking lot or parking court abutting the principal street, may have one freestanding center identification sign or directory sign with height not to exceed six (6) feet, with no more than two (2) faces, and with sign surface area not to exceed twenty (20) square feet per face.
 - (3) Subject to a permit issued by the director of public works, and department of planning, a business may place one A-frame sign on the public sidewalk in front of the business. The size, placement and other characteristics of the A-frame sign shall be in accordance with the guidelines approved for A-frame signs, shall be removed from the public right-of-way during times the business is not open, and shall be subject to any other conditions that may be specified by the department of public works and department of planning.
 - (4) Inflatable signs are prohibited.
 - (5) Box wall signs, which are geometric in form, plastic coated, internally lighted, and have a changeable face for each subsequent tenant, are not permitted.
 - (6) Wall signs shall complement the building's architecture, materials, and colors. Any property or business shall be permitted one (1) square foot of sign surface area for each foot of building frontage facing the public street on which the principal access is located. For other building frontage, signs may not exceed one-half ($\frac{1}{2}$) square foot of sign surface area for each foot of building frontage facing a public street.
 - (7) Wall signs otherwise permitted may include, but are not to be limited to, the following:

- a. Individual articulated letters.
 - b. Painted signs (on the building or on other suitable surface).
 - c. Neon tubing.
 - d. Lettering on an awning.
- (8) Window signs with a display area that is entirely digital shall be permitted only when they comply with all of the following limitations:
- a. The transparency required by the façade treatment requirement of section 11-21.3(c), above, must be maintained.
 - b. The maximum number of such digital windows signs is limited to:
 - (i) One (1) for each storefront having up to 100 linear feet facing a public street.
 - (ii) Two (2) for each storefront having 100 or more linear feet facing a public street.
 - c. The maximum sign face is nine (9) square feet.
 - d. The sign is situated not less than three (3) feet and not more than nine (9) feet above the ground immediately outside the window.
 - e. No portion of the display may automatically change more frequently than once every 10 seconds and changes must be made in a gradual or fading manner and shall not flash. If the sign is interactive, it may only be operated by a user standing in front of the display area.
 - f. No temporary window signage shall be displayed anywhere on the storefront when a digital window sign is installed.
 - g. No exterior sound shall be emitted from the sign.
 - h. The display shall be installed to prevent glare that may be a hazard to vehicular traffic.
 - i. None of the content of the digital widow sign shall be visible (as defined in chapter 16 of this ordinance) from the vehicular travel lanes of any public street.

Location Map

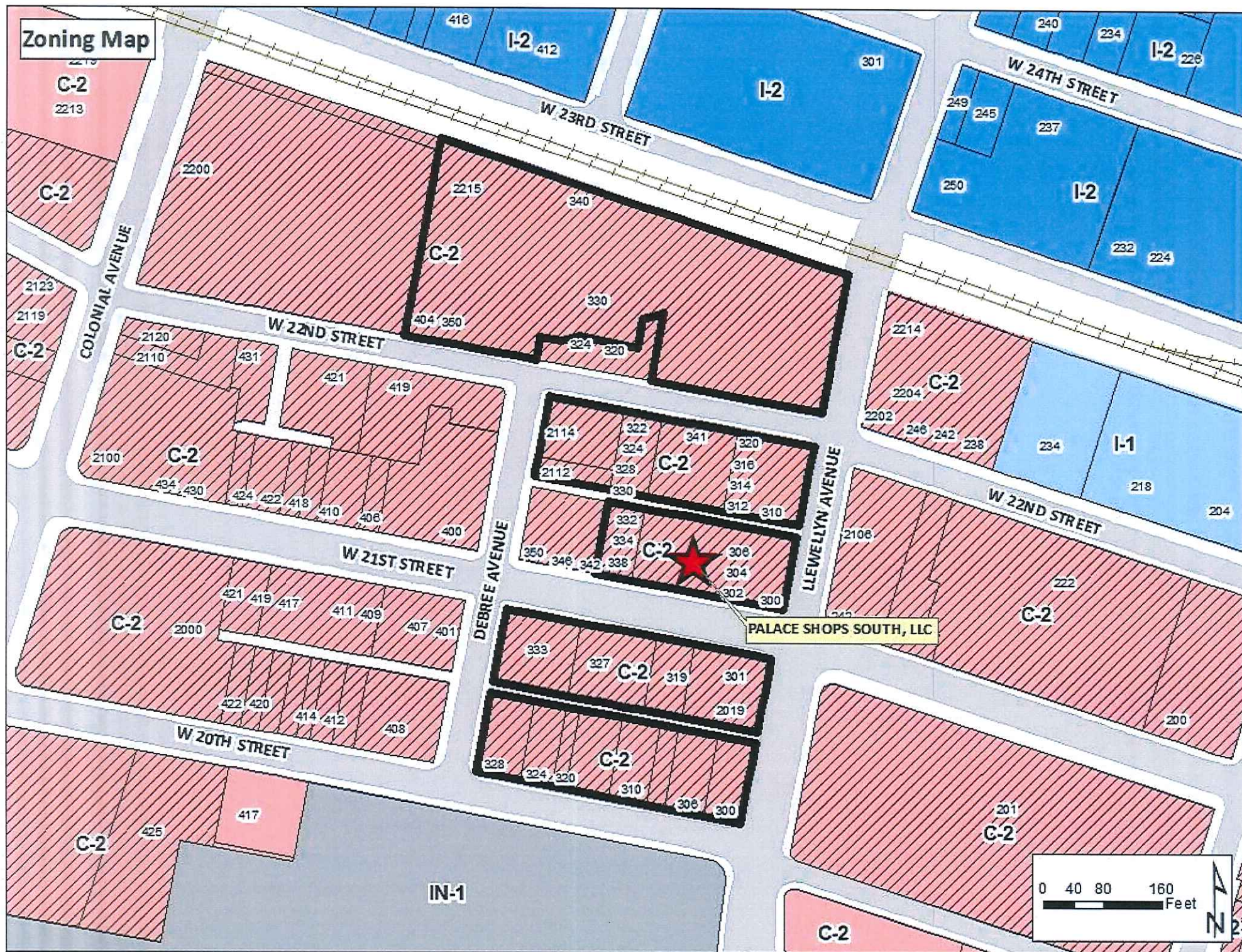


PALACE SHOPS SOUTH, LLC

0 35 70 140 Feet



Zoning Map





APPLICATION TEXT AMENDMENT

Date of application: 9/26/16

Zoning Ordinance Text Amendment

Amend Section(s) 11-22
Add New Section(s) 11-22.4

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

Palmer Steps South LLC

1. Name of applicant: (Last) _____ (First) _____ (MI) _____

CLAUDE HILMANN
Mailing address of applicant (Street/P.O. Box): 301 W 28th St

(City) Norfolk (State) VA (Zip Code) 23517

Daytime telephone number of applicant (757) 438-2435 Fax () _____

E-mail address of applicant: claud@decorumfurniture.com

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) Thomas (First) Robin (MI) _____

Mailing address of applicant (Street/P.O. Box): 913 W 28th St Suite C

(City) Norfolk (State) VA (Zip Code) 23517

Daytime telephone number of applicant (757) 343-9567 Fax () _____

E-mail address of applicant: rthomas@robynthomasarchitect.com

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

Text Amendment
Page 2

PROPERTY OWNER(S)

same as applicant

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) _____ (First) _____ (MI) _____

Mailing address of property owner (Street/P.O. box): _____

(City) _____ (State) _____ (Zip Code) _____

Daytime telephone number of owner () _____ email: _____

LLC members - Claus H. Hansen.

If applicable – list all property owners information with signatures on a separate attachment

DESCRIPTION OF AMENDMENT

- see attachment

Purpose of Amendment for electronic message BO sign.

CIVIC LEAGUE INFORMATION

Civic League contact: will schedule mtg w/ GBR + GNL.

Date(s) contacted: _____

Ward/Super Ward information: _____

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Text Amendment
Page 3

REQUIRED ATTACHMENTS

- ✓ Language for the text amendment (*see Example attached).
- ✓ Required application fee, **\$420.00** (if check, make payable to the City of Norfolk).
 - Application fee includes a non-refundable \$5 technology surcharge.

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Robin Titman Sign: [Signature] 9/26/16.
(Property Owner or Authorized Agent of Signature) (Date)

Print name: _____ Sign: _____ / ____ / ____
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: Robin Titman Sign: [Signature] 9/26/16.
(Authorized Agent Signature) (Date)

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Norfolk, Virginia 23510

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EXHIBIT A

11-20.4 *Development standards.*

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 - (6) Permitting wall signs may include, but are not limited to, the following features:
 - a. Individual articulated letters.
 - b. Painted signs (on the building or on other suitable surface).
 - c. Neon tubing.

d. Lettering on an awning.

(7) Window signs with a display area that is entirely digital shall be permitted only when they comply with all of the following limitations:

a. The transparency required by the façade treatment requirement of section 11-20.4(b), above, must be maintained.

b. The maximum number of such digital windows signs is limited to:

(i) One (1) for each storefront having up to 100 linear feet facing a public street.

(ii) Two (2) for each storefront having 100 or more linear feet facing a public street.

c. The maximum sign face is nine (9) square feet.

d. The sign is situated not less than three (3) feet and not more than nine (9) feet above the ground immediately outside the window.

e. No portion of the display may automatically change more frequently than once every 10 seconds and changes must be made in a gradual or fading manner and shall not flash. If the sign is interactive, it may only be operated by a user standing in front of the display area.

f. No temporary window signage shall be displayed anywhere on the storefront when a digital window sign is installed.

g. No exterior sound shall be emitted from the sign.

h. The display shall be installed to prevent glare that may be a hazard to vehicular traffic.

i. None of the content of the digital widow sign shall be visible (as defined in chapter 16 of this ordinance) from the vehicular travel lanes of any public street.

EXHIBIT B

11-21.3 *Development standards.*

...

- (h) *Signs.* The sign standards for commercial uses in Chapter 16 shall apply, subject to the following limitations:
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 - (2) Businesses having one hundred (100) feet or more of lot frontage, which includes a parking lot or parking court abutting the principal street, may have one freestanding center identification sign or directory sign with height not to exceed six (6) feet, with no more than two (2) faces, and with sign surface area not to exceed twenty (20) square feet per face.
 - (3) Subject to a permit issued by the director of public works, and department of planning, a business may place one A-frame sign on the public sidewalk in front of the business. The size, placement and other characteristics of the A-frame sign shall be in accordance with the guidelines approved for A-frame signs, shall be removed from the public right-of-way during times the business is not open, and shall be subject to any other conditions that may be specified by the department of public works and department of planning.
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- c. Neon tubing.
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(8) Window signs with a display area that is entirely digital shall be permitted only when they comply with all of the following limitations:

- a. The transparency required by the façade treatment requirement of section 11-21.3(c), above, must be maintained.
- b. The maximum number of such digital windows signs is limited to:
 - (i) One (1) for each storefront having up to 100 linear feet facing a public street.
 - (ii) Two (2) for each storefront having 100 or more linear feet facing a public street.
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- i. None of the content of the digital widow sign shall be visible (as defined in chapter 16 of this ordinance) from the vehicular travel lanes of any public street.

McDonald, Colette

From: McDonald, Colette
Sent: Wednesday, December 14, 2016 9:19 AM
To: 'info@ghentva.org'; 'Douglas Knack'; 'ted@nusbauminsurance.com'
Cc: Whibley, Terry; McClellan, Andria; Simons, Matthew; Wilson, Denise; Tajan, Robert
Subject: New Planning Commission application - Text Amendment to PCO-COLLEY and Special Exception to permit Alt Signage in Palace Shops and Palace Station
Attachments: ZTA Application.pdf; SE-application-REVISED.pdf

Ms. Birknes, Mr. Knack, and Mr. Enright,

Attached please find applications for the following items:

CITY PLANNING COMMISSION, for a text amendment to sections 11-20, "Pedestrian Commercial Overlay District – Colley Avenue (PCO-COLLEY)," and 11-21, "Pedestrian Commercial Overlay District – 21st Street (PCO-21st)," of the *Zoning Ordinance* to allow electronic interactive messaging signs in the 21st Street and Colley Avenue PCOs.

Staff contact: Robert Tajan at (757) 664-4756, robert.tajan@norfolk.gov

PALACE SHOPS SOUTH, LLC, for a special exception to permit alternative signage within the Palace Shops and Palace Station at 300-328 W. 20th Street, 301-333 and 300-342 W. 21st Street, 330-404 W. 22nd Street, 341 W. 22nd Street, 2019 Llewellyn Avenue and 2112-2114 DeBree Avenue.

Staff contact: Matt Simons at (757) 664-4750, matthew.simons@norfolk.gov

Thank you,

Colette McDonald
City of Norfolk Planning Technician



Planning Department
810 Union Street | Suite 508
Norfolk, VA 23510
Email | Colette.McDonald@Norfolk.gov
Phone | (757) 664-6771